IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE SRI JUSTICE B.SESHASAYANA REDDY**

**WRIT PETITION NO : 22707 of 2004**

Between:

D. Venkat Reddy, S/o D. Chenna Reddy,
R/o Divitipally (V), Mahaboobnagar (M), Mahaboobnagar District.

**..... PETITIONER**

AND

1 State of Andhra Pradesh, Thro' its Prl. Secretary, Department of

Revenue, Secretariat Buildings, Saifabad, Hyderabad.
2 District Collector R.R. District, Office at Khairatabad, Hyderabad.
3 Inspector General of Registration & Stamps of Andhra Pradesh

Nampally, Hyderabad.
4 Sub-Registrar, Saroornagar Circle, Office at Saroornagar, Hyderabad.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to declare the inaction of the respondents in not releasing the registered document No. 1817/2000 dated 10-5-2000 to the Petitioner in respect of Plot bearing No. 1/12, admeasuring 445 Sq. yards in Sy.No. 8 i.e., sale deed executed by the Hon'ble Prl. Junior Civil Judge, Hyderabad ( E&N), R.R. District on behalf of the Parasurama Co-op Housing Society rep. by its President in favour of the Petitioner in execution of Degree in E.P.No. 129/1998 as arbitrary, unjust, illegal and violative of Article 14, 19 (1) (g) and 300 A of the constitution of India apart from being violative of the Judgment of this Hon'ble Court in W.P.No. 3516/1996 & 13142/1996 dated 20-1-2000 and consequently direct the Respondents to deliver the regd. Sale deed No. 1817/2000 dated 10-

5-2000 to the Petitioner forthwith and pass such other relief or reliefs as the Petitioner is found entitled to in law by issuance of a writ more particularly a writ in the nature of Writ of Mandamus or any other writ or order as the Hon'ble Court.

**Counsel for the Petitioner:MR.CH.RAMESH BABU**

**Counsel for the Respondents: GP FOR REVENUE**

**The Court made the following ORDER:**

This writ petition has been filed by D.Venkat Reddy, assailing the inaction of the respondents in releasing the registered document No.1817 of 2000, dated 10.05.2000, in respect of plot bearing No.1/12, admeasuring 445 sq. yards in survey No.8 of Saroornagar village.

The facts of the case, in brief, are that the petitioner filed a suit being O.S.No.20 of 1995 on the file of the Principal Junior Civil Judge (East & North), R.R.District, for specific performance, and obtained a decree. He filed E.P.No.128 of 1998 and sought for execution of registered sale deed. Since the Judgment-debtor failed to execute the registered sale deed, the Court, on his behalf, executed the sale deed and sent the same to the fourth respondent, the Sub-Registrar, Saroornagar circle, for registration. As the fourth respondent has not registered the sale deed, the petitioner has approached this Court by invoking the extraordinary jurisdiction under Article 226 of the Constitution of India.

The learned counsel appearing for the petitioner submits that the issue involved in the writ petition has been squarely covered by the Judgment, dated 20.01.2000, of the Division Bench of this Court in W.P. Nos. 3516 and 13142 of 1996. This factual aspect has not been disputed by the learned counsel appearing for the respondents. In such view of the matter, there is no justification for the fourth respondent in withholding the sale deed.

Accordingly, the writ petition is allowed, directing the fourth respondent to register the document and release the same, if it is otherwise in order, within a period of two weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

---------- 22.07.2005

ksld

To

1 Prl. Secretary, State of Andhra Pradesh, Department of

Revenue, Secretariat Buildings, Saifabad, Hyderabad.
2 District Collector R.R. District, Office at Khairatabad, Hyderabad.
3 Inspector General of Registration & Stamps of Andhra Pradesh

Nampally, Hyderabad.
4 Sub-Registrar, Saroornagar Circle, Office at Saroornagar, Hyderabad.

5 Two CCs. to the G.P. for Revenue, High Court of A.P., Hyderabade

(OUT).

6 2 CD copies

7 1 CC to MR.RAMESH BABU

*Form-NIC-OGS/WP{**AVLR**}*